

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, SEPTEMBER 18, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
DEAN AUSILIO, VICE CHAIRMAN
CHARLES OLIVER, MEMBER
JOA PENZIEN, MEMBER
ARNOLD THOEL, MEMBER
DEBORAH ZOLNOSKI, MEMBER

ABSENT: MICHAEL D. KOEHS, SECRETARY

ALSO PRESENT: Colleen O'Conner, Legal Counsel
Jerome Schmeiser, Planning Consultant
James R. Gelios, Deputy Clerk
(Additional attendance on file at the Clerk's Office)

Chairman GALLAGHER called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Member Thoel called the roll, all present except Member Koehs.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and no additions, corrections or deletions were discussed or made .

MOTION by AUSILIO seconded by ZOLNOSKI to approve the agenda as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

3. The minutes of the previous meeting held on August 20, 2007 were reviewed and no additions, corrections or deletions were discussed or made.

MOTION by OLIVER seconded by THOEL to approve the minutes of the meeting of August 20, 2007 as presented.

MOTION carried.

AGENDA ITEMS

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4. **Request for Site Plan Approval, Unit 12 of Macomb Industrial Park;** Located on the west side of Industrial Drive approximately 300 feet south of Leone Drive; Section 18; Howard Baisch- Petitioner. Permanent Parcel No. 08-18-326-012.

Mr. Jerome Schmeiser, Macomb Township Planning Consultant, reviewed this item.

The petitioner is requesting revised site plan approval for the above described property.

On May 8, 2007, the Board of Appeals granted a variance to waive the required masonry screening wall along the west property line conditioned on the installation of sound deadening plastic strips along all doors along the west elevation and all windows along the west elevation be stationary (non-opening) to prevent sound from emanating outside the building. The site plan indicates only a man door on the west elevation with no windows or truck doors proposed.

Characteristics of the property in question can be summarized as follows:

Current Zoning: M-1

Present Use: vacant

Size and Dimensions of Property: 150' x 372' and contains 1.28 acres

The westerly 84' of the parcel is encumbered with a drain easement and a Detroit Edison easement.

The general description of the surrounding properties is as follows:

The properties to the north, south and east, across Industrial Drive, of the tract in question are zoned and developed for industrial purposes. The property to the west, across the drain easement, is zoned R-1 and developed for residential purposes.

The Master Plan depicts the area as industrial and the Master Thoroughfare Plan indicates 70 feet of right-of-way for Industrial Drive.

The Building Official indicates that the property is within the 100-year floodplain.

The site plan submitted by the petitioner indicates the following:

A 16,612 square foot industrial building will be constructed on the site, set back 25' from Industrial Drive and 25' from the south property line. The building will be

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divided into 2 units with offices and provided with overhead doors, one for each unit.

Parking for 40 cars is provided along the north and west sides of the building with one access from Industrial Drive.

An outdoor storage area of 650 square feet is shown. The ordinance requires 600 square feet with an additional 50' for every unit over one unit. Therefore, the ordinance requires 650 square feet of open storage. (A note on the site plan indicates a total of 360 square feet however, the area of open storage scales 37' x 18' for a total of 666 square feet of open storage.)

Also a trash enclosure and a loading/unloading area are shown on the plan adjacent to the building.

Twelve parking spaces along the west area are situated in the Gloede Drain easement.

The petitioner must provide an agreement with the County Drain office relative to the use of the drain easement for parking purposes.

The landscape plan indicates that all lawn areas will be sodded and irrigated. The petitioner should be apprised of the fact that the irrigating applies to the area between the sidewalk and curb.

RECOMMENDATIONS:

It is recommended that the site plan be approved with the standard conditions of the Planning Commission, including:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones (a cobblestone measuring 3-8" in diameter are allowed) or loose materials are permitted in the areas between the

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sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.

That all lawn areas including the front yard, side yard setbacks, rear yards, the areas between the sidewalk and curbs, and planting beds to be planted with grass and trees and maintained. The term grass means "pre-grown grass" referred to as sod. Seeding of grass areas is not allowed. This standard is derived from the land division ordinance section 17-162A14b(11).

4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. **The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. **The request for release must be in writing and accompanied by 2 copies of the "As Built Plans"**. The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.

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12. That the petitioner meets with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited.
20. That all requirements of the Zoning Ordinance be met.
21. If the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.

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23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture.
24. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

In connection with splitting, combining or otherwise amending the site plan, that any master deeds prepared in connection with said site plan be amended. The amended master deed, including Exhibit B documents, must be submitted to the Township Clerk's Office for review in accordance with Township procedures. The recorded document must be received prior to issuance of building permits.

The same procedure would follow for a revision to the site plan.

25. That all lawn areas must be developed in accordance with the zoning ordinance section 10.2402-B-6 which refers to the landscaping design standards of the Township Land Division Ordinance; Sec. 17-162-(b)(11) as amended which provides that all areas must be sodded with pre-grown grass and irrigated which include the areas of the property which also includes the road right-of-way.
26. That the petitioner provides an executed agreement with the County Drain Office noting their approval for the use of the county drain property for parking purposes.

It is also suggested that the Planning Commission move to receive and file all correspondence in connection with this item.

Mr. Greg Iacobelli, representing the petitioner, was also present to answer any questions that the Commission might have.

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MOTION by AUSILIO seconded by THOEL to approve this Request for Site Plan Approval, Unit 12 of Macomb Industrial Park with the above conditions as presented.

MOTION carried.

5. **Request for Site Plan Approval, Deadbolt Self Storage;** Located on the north side of 23 Mile Road immediately 400 feet east of Industrial; Section 18; Quadrate Development, LLC – Petitioner. Permanent Parcel No. 08-18-300-010.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item, stating that this review does not include the signs.

The petitioner is requesting a mini storage facility to be located on the north side of 23 Mile, 400' east of Industrial Drive.

The original plan was approved April 4, 2006, but has expired.

On March 14, 2006, the Macomb Township Board of Appeals granted to petitioner eliminating the 5' walk around each building, eliminated the clear vision zone, and removed the loading areas from the site plan. The Board's action was taken with the understanding bollards would be spaced around the buildings and entrances to protect pedestrian traffic.

Characteristics of the property in question can be summarized as follows:

Current Zoning: M-1

Present Use: vacant

Size and Dimensions of Property: 130' x 1306.80' and contains 3.90 acres

The general description of the surrounding properties is as follows:

The properties surrounding the tract in question are zoned and developed for industrial purposes. The property to the south, across 23 Mile, is zoned agricultural. The Master Plan depicts the area as industrial and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 23 Mile Road

The Building Official indicates that the property is within the 100-year floodplain.

The site plan submitted by the petitioner indicates the following:

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Three mini-storage buildings will be constructed on the site, with a setback of 103' from 23 Mile Road. Access to the site will be provided via one drive from 23 Mile Road.

Each building will contain 64 mini-storage units. The building closest to 23 Mile will contain 64 units and be climate controlled and include 800 square feet of office space.

A 23.5' one way driveway will be provided along the entire perimeter of the property set back 4' from the property line. The entire property will be provided with a 6' high chain link fence with the gates 123' from the front property line.

Indoor garbage containment will be housed in the front building adjacent to the front office.

No provision is made for loading and unloading nor is there outside storage areas planned since the entire project is based upon indoor storage and loading and unloading at the door of each unit.

Although a sign location is shown on the plan in accordance with the requirements of the zoning ordinance, no details of the sign are shown nor was an indication noted on the application of a request for sign approval. Therefore the signs are not part of the consideration of this review.

Parking for 13 cars is provided at the front entrance of the project.

A 5' sidewalk is shown across the front on 23 Mile Road.

The site plan shows that the area between the sidewalk and curb will be sodded and irrigated and that the future development area at the north end of the project will be sodded and irrigated. No indication is made of the area between the property line and parking area. The plan must be revised to indicate that the area between sidewalk and curb, the front yard setback between the sidewalk and parking area, the 4' area between the parking area and the property lines and the area for future development will be sodded and irrigated. The notes regarding sodding and irrigation must be made both on the site plan and the landscape plan.

Comments from the Township Engineer indicates that a 75' taper be added on the east side of the entrance drive, that the driveway approach setbacks be matched between this site and the adjacent site to the west, and the existing passing flares along the south side of 23 Mile road, shall be connected to create a by-pass lane for this site.

The Fire Department indicates that security gates across a fire apparatus access drive shall be siren activated as approved by the fire department. Where security

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gates are installed, they shall have an approved means of emergency operation and maintain operational at all times.

RECOMMENDATIONS:

It is recommended that the site plan be approved with the standard conditions of the Planning Commission, including:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and

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elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. **The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**

9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. **The request for release must be in writing and accompanied by 2 copies of the "As Built Plans"**. The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.

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18. That in the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.
21. Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.
24. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

25. That signs are not part of this approval.

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26. That revised plans, including both landscape and site plans, indicate sodding and irrigation as noted above, the bypass and tapers and driveway approach setbacks be matched with adjacent properties be submitted.

It is also suggested that the Planning Commission move to receive and file all correspondence in connection with this item.

Mr. Michael D'Agostini, petitioner, was also present to answer any questions that the Commission might have.

MOTION by AUSILIO seconded by ZOLNOSKI to approve this Request for Site Plan Approval, Deadbolt Self Storage, with the above conditions as presented.

MOTION carried.

6. **Request for a Technical Change, Rainbow Child Development Center;** Located on the south side of 24 Mile Road, 300 feet west of Garfield Road; Section 18; Rainbow Rascals – Petitioner. Permanent Parcel No. 08-18-200-023.

Mr. Jerome Schmeiser, Macomb Township Planning Consultant, reviewed this item.

The petitioner is requesting a technical change for the above described day care center.

Characteristics of the property in question can be summarized as follows:

Current Zoning: CF, Community Facility

Present Use: vacant

Size and Dimensions of Property: 183' x 340' and contains 1.40 acres

The general description of the surrounding properties is as follows:

The property to the north of the tract in question, across 24 Mile, is zoned C-2 and is vacant.

The property to the east is zoned C-2 and contains a gas station.

The property to the south is zoned R-1 and contains condominiums.

The property to the west is zoned R-1 and contains condominiums.

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The Master Plan depicts the area as commercial and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 24 Mile Road.

The Building Official indicates that the property is not within the 100-year floodplain.

The site plan submitted by the petitioner indicates the following:

A 10,000 square-foot childcare center will be constructed on the site, set back 138' from 24 Mile Road, 50' from the west property line, 52' from the east property line, and 50' from the south property line.

Access to the site would be provided via one drive to 24 Mile road. Parking for 50 cars are provided along the east and north areas.

A dumpster area is shown in the northeast corner of the building.

A 25-foot setback is provided along the 24 Mile frontage. A 5' walk is shown along 24 Mile Road. The Township policy is that an 8' pathway be provided. The Township Consulting Engineer, however, recommended that the 5 ft. walk be installed in lieu of the 8 ft. wide walk due to the fact that the existing walks east and west of the site along 24 Mile Road are 5 ft. wide concrete.

A fenced play area of 13,340 square feet is provided along the south and west sides of the building.

A monument sign of 24 square feet will set back 15' from 24 Mile Road. The sign is planned at 5'10" in height. The ordinance allows the sign to be 5' high.

A bypass lane is not shown on the plan.

A 6-foot high concrete wall exists surrounding the property on the west and south sides tying into the wall provided by the gas station to the east.

RECOMMENDATIONS:

It is recommended that the technical change be approved with the standard conditions of the Planning Commission, including:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation.

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The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.

3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. **The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. **The request for release must be in writing and accompanied by 2 copies of the "As Built Plans"**. The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).

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11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That in the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
20. That all requirements of the Zoning Ordinance be met.
21. If the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.

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22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.
24. That the sign be reduced in height to 5' rather than 5'10" as shown.
25. That the bypass lane be shown in accordance with Township Engineering standards.

It is also suggested that the Planning Commission move to receive and file all correspondence in connection with this item.

Petitioner: Mr. Rodney Blight, petitioner, was also present to answer any questions that the Commission might have.

The Commission members asked for clarification regarding what the actual technical change was. As the Planning Consultant and Petitioner clarified some of the changes, the Petitioner stated that the actual technical change sought was for the use of stone, or decorative ground cover in some of the narrow areas of the site and the front rather than sod. Mr. Schmeiser then stated that this Board did not have the power to grant a variance for the use of stone and that petitioner would have to go to the Zoning Board of Appeals for such variance. Mr. Schmeiser stated that this Board must adhere to the ordinances of the township.

Petitioner stated that they have had two inspections from the township and have received their Certificate of Occupancy. He also indicated surrounding businesses have used stone rather than sod in their developments. Mr. Schmeiser advised the Board that the removal of stone from the site has always been a condition of approval for this property.

Mr. Schmeiser stated that he would now have to recommend denial to this Board because the use of stone rather than sod is against the township ordinance.

Upon further questioning by the Planning members regarding some of the conditions requested in the technical change, specifically the loose stones, some confusion was apparent between the Commissioners, Planning Consultant and Petitioner.

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Member Ausilio asked the petitioner that due to the confusion regarding this item, did he wish to request a tabling of this matter to a future date so that Mr. Schmeiser could re-investigate this matter. Petitioner stated he would.

MOTION by AUSILIO seconded by OLIVER to table this item to a future meeting so that it could be further investigated.

MOTION carried.

7. **Request for a Rezoning from R-1-S to O-1;** Located on the north side of 23 Mile Road, east of Romeo Plank Road; Section 17; Romeo Plank Investor – Petitioner. Permanent Parcel No. 08-17-477-001.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item.

The petitioner is requesting that the above-described property be rezoned from R-1-S to O-1, Office, Low Rise.

The purpose of the request is to allow the petitioner to develop a low-rise office development.

Characteristics of the property in question can be summarized as follows:

Present Use: vacant

Size and Dimensions of Property: 466'± x 1342'± and contains 14.5 acres
The general description of the surrounding properties is as follows:

The property to the north of the tract in question is zoned R-1-S and contains vacant farm land (the frontage of this parcel is on Romeo Plank).

The property to the east is zoned R-1 and contains residential development.

The property to the south, across 23 Mile Road, is zoned C-2 and CF and contains a retail center plus a day care center.

The property to the west is zoned C-3 and O-1 and contains a retail center and an office. The Clinton River separates this area from the retail center and the office building. A wall provides a buffer along the west side of the river.

The Master Plan depicts the area as residential and the Master Thoroughfare Plan indicates 120 feet of right-of-way for 23 Mile Road.

The floodplain map indicates that the property is within the 100-year floodplain.

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No site plan has been submitted.

RECOMMENDATIONS:

It is recommended that the rezoning of the property be denied for the following reasons:

1. The proposed rezoning is inconsistent with the goals of the Master Plan.
2. The proposed rezoning is inconsistent with the development of the surrounding properties.

The Consultant suggests that the next step in the approval process is to forward the matter to the Township Board and for the Planning Commission to vote to receive and file all correspondences in connection with this item.

Mr. Larry Scott, representing the petitioner, was also present and did his presentation regarding this matter and answered the Commissioners questions. Mr. Scott indicated that this property, because of it's unique features, could not economically or feasibly be developed into a residential area.

The Commissioners pointed out that the proposed development of this property would effectively result in the property to the north or rear of this property becoming land-locked, with no road access to it. They questioned whether or not that was even legal to do.

Public Portion: Several residents spoke regarding this item, opposing it due to traffic concerns, damage to homes in the area and possible flooding problems in this area as a result of this proposed development.

MOTION by ZOLNOSKI seconded by THOEL to deny this request as recommended by the Planning Consultants.

MOTION carried.

8. **Request to Approve a Temporary Builder Sign; Castle Mar Subdivision:** Located on the west side of Card Road, ¼ mile north of 23 Mile Road; Section 15; Vincent Castellana – Petitioner. Permanent Parcel No. 08-15-446-022.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item.

The petitioner is requesting approval to locate a temporary ground sign on the site, currently zoned R-1.

The application submitted by the petitioner indicates that it will be located within the 20' landscape area of the Castle Mar Subdivision. The sign will be 4' wide

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and 10' tall, set back 10' from Card Road approximately 60' south of Castellana Drive. The sign will contain 32 square feet.

No issues have been raised by the department heads.

RECOMMENDATIONS:

It is recommended that the temporary ground sign be approved as requested with the standard conditions:

1. That Section 10.0319 of the Zoning Ordinance be met.
2. That a \$500.00 cash bond be posted assuring the construction of the sign as approved.
3. That the approval expires in one year.

The Consultant suggests that a \$500.00 bond be posted assuring the construction of a sign as approved. Upon receipt by the petitioner for a final inspection and subsequent approval by the Building Department the bond can be released.

Mr. Vincent Castellani, petitioner, was also present to answer any questions that the Commission might have.

MOTION by AUSILIO seconded by THOEL to approve a Temporary Builder Sign; Castle Mar Subdivision as presented for a period of one year.

MOTION carried.

9. **MOTION by AUSILIO seconded by ZOLNOSKI to receive and file all correspondence in connection with this agenda.**
MOTION carried.

PLANNING CONSULTANTS COMMENTS

Mr. Schmeiser stated that this was Member Zolnoski's last Planning Commission meeting and wished her well.

PLANNING COMMISSIONERS COMMENTS

The Commissioners concurred with the previous Planning Consultant's comments regarding Member Zolnoski.

ADJOURNMENT

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MOTION by AUSILIO seconded by OLIVER to adjourn the meeting at 8:07 p.m.

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
Planning Commission Secretary